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September 7, 2007

VIA FACSIMILE

Honorable Loretta A. Preska
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007

Re: Olivier Martinez and Sheeba, Inc. v. Vakko Holding A.S. et al.
Index No. 07 CV 3413

Dear Judge Preska:

This office represents plaintiffs Oliver Martinez and Sheeba, Inc. in the above referenced diversity action assigned to your Honor. Pursuant to yesterday's directive from Megan Phillips, plaintiffs submit this letter requesting an extension of time to serve foreign defendants.

This action was commenced by the filing of a summons and complaint on April 30, 2007. Because three (3) of the defendants¹ (the "Turkish Defendants") are located in the Republic of Turkey, and both the United States and Turkey are signatories to the Hague Convention (the "Convention"), the Convention governs service of process on the Turkish Defendants. Under Turkey's accession to the Convention, service must be effectuated through the Turkish Central Authority by submitting documents to be served, translated into Turkish and in duplicate, under cover of form USM-94.

Four (4) days after commencing the action, plaintiffs' counsel engaged Legal Language Services ("LLS") to assist plaintiffs in effectuating service on the Turkish Defendants. All of the required documents, duly translated, were delivered to Turkey's Central Authority on June 15, 2007. Since June 15, 2007, plaintiffs have received regular updates as to the status of local service. Just yesterday, LLS received a fax (annexed hereto) from Judge Eroglu of the Turkish Central Authority confirming that the documents have been transmitted to the local authorities in Istanbul (where the defendants reside) but actual service has yet to be made on the Turkish Defendants.

Due to plaintiffs' diligence in promptly submitting documents pursuant to the Convention and due to formalities of service under Turkish law entirely out of plaintiffs' control, plaintiffs seek an extension of time until March 31, 2008 to complete service of process on the Turkish Defendants². Defendants, whose New York attorneys are fully

¹ The Turkish Defendants are Vakko Holding A.S., Vakko Tekstil Ve Hazir Giyim Sanayi Isletmeleri A.S. and Cem Hakko

² This Court's authority to grant an extension is premised on, *inter alia*, Sections 306-b and 2004 of the

80 CORDER

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

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2007

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aware of this action³, will not suffer any prejudice.

Respectfully submitted,


Seth Redniss

cc: Mr. Evan T. Barr, Esq. (*by email*)

(attachment)

SO ORDERED:

Judge Loretta A. Preska
United States District Judge

New York Civil Practice Law and Rules.

³ On May 30, 2007, I received a telephone call from Evan T. Barr, Esq. of Steptoe & Johnson LLP who acknowledged that his firm represented the Turkish Defendants but refused to accept service. In the interests of full disclosure, Mr. Barr is copied on this letter.